

0203-09

1/E AF



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 6,142,927

Inventor: James Hoyt Clark )

Serial No.: 09/152,195 )

Issued: November 7, 2000 )

Filed: September 14, 1998 )

Prior Reexam Certificate: 5824<sup>th</sup> )

Reexamination Control: 90/008,777 )

Art Unit: 3993 )

Reexamination Examiner: Jeanne M. Clark )

Title: METHOD AND APPARATUS FOR  
TREATMENT WITH RESONANT  
SIGNALS )

**NOTICE OF APPEAL  
FROM THE  
CENTRAL REEXAMINATION UNIT  
EXAMINER TO THE BOARD OF  
PATENT APPEALS AND  
INTERFERENCES**

**NOTICE OF APPEAL**

Patent Owner hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Central Reexamination Unit Examiner dated December 5, 2008, finally rejecting Claims 1-8, 13-25, 30-43, 48-55, 60-72 and 77-86. Patent Owner is a small entity and claims small entity status under 37 CFR §1.27. A check in the amount of the required appeal fee of \$270.00 is enclosed.

Dated this 2 day of February, 2009.

Respectfully submitted,  
NELSON, SINGER, DAHLE & POULSEN, P.C.

*David Nelson*  
J. David Nelson, Attorney of Record for Patent Owner  
Registration No. 31,046

10885 South State Street  
Sandy, UT 84070  
Phone: (801) 576-1400  
Fax: (801) 576-1960

02/03/2009 WASFAW1 00000067 09152195

01 FC:2401

270.00 OP



### **CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that on February 2, 2009, this **NOTICE OF APPEAL FROM THE CENTRAL EXAMINATION UNIT EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES** is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, mailing label no. EQ 731385322US, with sufficient postage, in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

  
J. David Nelson

### **CERTIFICATE OF SERVICE BY EXPRESS MAIL**

I hereby certify that on February 2, 2009, this **NOTICE OF APPEAL FROM THE CENTRAL EXAMINATION UNIT EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES** is being deposited with the United States Postal Service via Express Mail, mailing label no. EQ 731385336US, with sufficient postage, in an envelope addressed to:

Michael F. Krieger  
Adam D. Stevens  
KIRTON & McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, UT 84111

  
J. David Nelson